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**LAROE, WINN, MOERMAN & DONOVAN**  
**Attorneys at Law**  
**1250 Connecticut Avenue, N.W., Suite 200**  
**Washington, DC 20036**

May 16, 2011

**ENTERED**  
**Office of Proceedings**

**MAY 20 2011**

**Part of**  
**Public Record**

Cynthia T. Brown  
Chief of the Section of Administration, Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20423

Re: Docket No. NOR-42129; American Chemistry Council; The Chlorine Institute,  
Inc., The Fertilizer Institute, and PPG Industries, Inc. v. Alabama Gulf Coast  
Railway, and RailAmerica., Inc.

Dear Ms. Brown:

Enclosed for filing please find the joint Proposed Discovery and Procedural Schedule to  
be filed in the above-captioned proceeding.

Sincerely,

/s/ Paul M. Donovan  
Paul M. Donovan  
Counsel for Complainants

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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American Chemistry Council,  
The Chlorine Institute, Inc.,  
The Fertilizer Institute, and  
PPG Industries, Inc.,

Complainants,

v.

Alabama Gulf Coast Railway LLC, and  
RailAmerica, Inc.

Defendants.

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Docket No. NOR-42129

**PROPOSED STIPULATED DISCOVERY AND PROCEDURAL SCHEDULE**

The parties to the above-captioned proceeding have met and discussed a discovery and procedural schedule in this matter. While recognizing that there are Motions to Dismiss and for Injunctive Relief pending, the parties see no reason to delay the scheduling process, subject to Board order.

WHEREFORE, the parties suggest the following procedural schedule:

May 20, 2011	Filing of First Requests for Production of Documents and other discovery may commence.
June 20, 2011	Filing of Responses to First Requests for Production of Documents and other discovery unless otherwise agreed to by the parties.
July 20, 2011	Notices of Deposition to be served by all parties
September 30, 2011	All discovery to close

November 4, 2011      Complainants' Initial Evidence to be filed  
December 9, 2011      Defendants' Initial Evidence to be filed  
January 6, 2011        Complainants Rebuttal Evidence to be filed  
Further procedures at the discretion of the Board.

Respectfully submitted,

/s/ Paul M. Donovan

Paul M. Donovan  
LaRoe, Winn, Moerman & Donovan  
1250 Connecticut Ave, N.W. Suite 200  
Washington, DC 20036  
(202) 298-8100  
Counsel for Complainants  
paul.donovan@laroelaw.com

/s/ Jeffrey O. Moreno

Jeffrey O. Moreno  
Thompson Hine LLP  
1920 N Street, N.W. Suite 800  
Washington, DC 20036  
(202) 331-8800  
Counsel for The Fertilizer Institute  
jeff.moreno@thompsonhine.com

/s/ Louis E. Gitomer

Louis E. Gitomer  
Law Offices of Louis E. Gitomer  
600 Baltimore Avenue, Suite 301  
Towson, MD 21204  
410-296-2250  
Lou@lgrailaw.com